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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,435	11/27/2001	Thierry Planterose	PHFR 000129	9798
24737	7590	01/23/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			O STEEN, DAVID R	
			ART UNIT	PAPER NUMBER

2617

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/995,435	PLANTEROSÉ, THIERRY	
	Examiner	Art Unit	
	David R. O'Steen	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11-27-2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
The signature of the inventor was omitted.

Drawings

The drawings are objected to because the numbered subcomponents in the figures do not all include labels on the figures. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of

any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, and 3- 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sciammarella (US 6,425,129) in view of Knowles (US 2005/0251822). As regards Claims 1 and 4, Sciammarella discloses a method and set-top box product for composing an MPEG-4 video scene (col. 3, lines 2-5) at least from a first set of input video coded according to the MPEG-4 standard, said set-top box comprising a first decoding means for generating a first set of decoded MPEG-4 video objects (col. 3, lines 43-49), and rendering means for generating composed frames of said video scene from at least said first set of decoded MPEG-4 video objects in a composition buffer (lines 56-62), characterized in that said method also comprises: video object creation means for generating a second set of video objects, each created video object being formed by the association of a decoded video data extracted from said set of decoded video data in the same video scene, said second set of video objects being rendered jointly with said first set of decoded MPEG-4 video objects by said rendering means (col. 4, lines 3-11). Sciammarella does not disclose, however, a second decoding means for generating a set of decoded video data from a set of input video data not

MPEG-4 compliant. Knowles does disclose a second decoding means for generating a set of decoded video data from a set of input video data not MPEG-4 compliant (fig. 1B.3).

Sciammarella and Knowles are analogous art because they both come from the same field of endeavor, namely the field of MPEG-enabled set top boxes.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to provide a second tuner as in Knowles to the channel preview system of Sciammarella so that the viewer could see video from several channels as opposed to just one.

As regards Claim 3, Knowles does disclose that it is characterized by a second decoding step that is dedicated to decoding of input video data coded according to the MPEG-2 video standard (fig. 1B.15).

As regards Claim 5, Sciammarella discloses a set-top box product as claimed in Claim 4, characterized in that: a) a decoding means correspond to the execution of dedicated program instructions by a signal processor, said program instructions being loaded in said signal processor or in a memory, b) video object creation means correspond to the execution of dedicated program instructions (such as software) by said signal processor, said program instructions being loaded in said signal processor (such as an MPEG video decoder) or in a memory, said signal processor being dedicated to the association of data defining properties with each video data constituting said set of decoded video data so as to define characteristics of each decoded video data in the video scene (figs. 2.31 and 2.43 and col. 3, lines 49-56), c) rendering means

not only correspond to the execution of dedicated program instructions by said signal processor, said program instructions being loaded in said signal processor or in a memory, but also to the execution of hardware functions by a signal co-processor in charge of the re-copying of said second set of video objects into said composition buffer (fig. 2.44).

As regards Claim 6, Sciammarella further discloses a set-top box product further characterized in that it comprises means for taking into account user interactions for the purpose of modifying the relative spatial positions of said first set of decoded MPEG-4 (fig. 8A.802) video objects and said second set of video objects (fig. 8A.804d) in the MPEG-4 video scene (col. 8, lines 53-66).

As regards Claim 7, Knowles discloses a set-top box product further characterized in that said second decoding means are dedicated to the decoding of input video data coded according to the MPEG-2 video standard (fig. 1B.15).

As regards Claim 8, Sciammarella and Knowles jointly describe the a computer program product for a device composing an MPEG-4 video scene from MPEG-4 video objects and non-MPEG-4 video objects, which product comprises a set of instructions which, when loaded into said device, causes said device to carry out the method as claimed in Claims 1 to 3 (see citations of prior art in claims 1-3 above).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sciammarella (US 6,425,129) in view of Knowles (US 2005/0251822) and Noguchi (US 2005/0193337). Sciammarella and Knowles jointly disclose the method of Claim 1. Sciammarella further a method characterized in that said properties define the depth

and a geometric transform. Sciammarella does not disclose a transparency coefficient. Noguchi does disclose a transparency coefficient (fig. 26.2604).

Sciammarella, Knowles, and Noguchi are analogous art because they both come from the same field of endeavor, namely the field of EPG-enabled set top boxes.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to provide levels of transparency to the EPGs of Sciammarella and Knowles so that the EPG obstructs a minimal amount of viewing space.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chen (US 6,658,057) discloses an MPEG transcoder that places a translucent logo over an existing MPEG bit-stream. If the outputted bit-stream is an MPEG-4 bitstream the logo becomes another object. Chen (US 6,057,884) discloses a method for adding a picture within a picture to an MPEG stream. Wee (US 6,973,130) discloses a method of manipulating independent regions of an MPEG map without altering others. Figure 29 of said patent discloses altering, rescaling, and changing the perspective of a selected region in MPEG video. Figure 24 of said patent discloses a logo insertion into an MPEG stream.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R. O'Steen whose telephone number is 571-272-7931. The examiner can normally be reached on 8:30 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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